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Security Council

Seventy-second year

Provisional

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Wednesday, 7 June 2017, 3 p.m.

New York

President:	Mr. Llorentty Soliz	(Bolivia (Plurinational State of))
Members:	China	Mr. Zhang Dianbin
	Egypt	Mr. Aboulatta
	Ethiopia	Mr. Alemu
	France	Mr. Delattre
	Italy	Mr. Cardi
	Japan	Mr. Bessho
	Kazakhstan	Mr. Sadykov
	Russian Federation	Mr. Safronkov
	Senegal	Mr. Ciss
	Sweden	Mr. Skoog
	Ukraine	Mr. Yelchenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Rycrof
	United States of America	Ms. Sison
	Uruguay	Mr. Rosselli

Agenda

The situation in Libya

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The meeting was called to order at 3.05 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Libya

The President (*spoke in Spanish*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Libya to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Martin Kobler, Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya, to participate in this meeting. Mr. Kobler is joining this meeting via videoconference from Tunis.

The Security Council will now begin its consideration of the item on its agenda.

At this meeting, the Security Council will hear briefings by Mr. Kobler and Ambassador Olof Skoog, Permanent Representative of Sweden, in his capacity as Chair of the Committee established pursuant to resolution 1970 (2011) concerning Libya.

I now give the floor to Mr. Kobler.

Mr. Kobler (*spoke in Arabic*): First of all, I would like to wish peace, harmony and serenity to all those who observe the holy month of Ramadan in Tunisia and Libya.

(*spoke in Spanish*)

I would also like to congratulate Bolivia on assuming the presidency of the Security Council this month. I am participating in today's meeting to update the Council on the latest developments in Libya. Today, I would like to take a moment to reflect on the past before setting our priorities for the future.

(*spoke in English*)

When I came to Libya in November 2015, I continued the work of my predecessor, Mr. Bernardino León, who had patiently forged a political agreement after a year of diplomacy. As mediators will know, concluding an agreement is one thing, but implementing an accord is another. In Libya, the transition process has not been fully implemented. Parallel institutions continue to exist. The House of Representatives has not yet recognized the Government of National Accord nor has it adopted the constitutional amendment.

That said, the Libyan Political Agreement, nowever, has changed the facts on the ground. The Presidency Council has been working in Tripoli since 2016. Libyan oil production now exceeds 800,000 barrels per day, up from 200,000 barrels per day a few months ago. Da'esh, while still a threat, is a shadow of what it was just one year ago. Most importantly, whether one is a Libyan from Benghazi, Tripoli or Sabha, the Agreement remains the greatest hope for a solution to the crisis in Libya. The people of Libya desire peace; they desire security; they desire a country where their children have a brighter future.

In my last statement (see S/PV.7927), I laid out several priorities that still must be addressed. Where do we stand on the most important issues today?

First, there is consensus that the Libyan Political Agreement remains the framework of the political process. Despite criticism, there is overwhelming national and international support for the Libyan Political Agreement. However, the Agreement is not set in stone. After months of consultations with Libyan, regional and international stakeholders, we are developing a road map to allow limited amendments to the Libyan Political Agreement through an inclusive Libyan-led and Libyan-owned process.

I also see broad agreement on the areas where amendments are still needed. There are still different ideas on the format of talks. There is an agreement on the principles guiding the future talks however. My advice to the international community is to provide the necessary assurances and guarantees to implement what Libyans will agree upon. They cannot do this alone without the support of the international community. They need the Council's strong and unified support.

Secondly, let me turn to the military situation. The adversaries of a political solution seek to use violence to undermine efforts to reach a settlement. The attack on the Brak al-Shatti airbase on 18 May is an example. Radical elements, including some affiliated with Al-Qaida, massacred dozens of people. That inhuman act not only demonstrated complete disregard for human life, but was a deliberate attempt to undermine the political process. Unfortunately, the closer a settlement, the higher the threat of such violence. More of the same was seen when forces affiliated with the Salvation Government attacked in Tripoli at the end

of May. Fortunately, forces supporting the Presidency Council successfully defended the city and now control the capital.

Thirdly, there is an urgent need to unify the Libyan security apparatus. Yesterday, 6 June, I once more met with Field Marshal Haftar in Benghazi. He assured me that he wants to proceed on the basis of the Libyan Political Agreement, supporting a political process to amend the Agreement. I encouraged him to let politics prevail and not to pursue military confrontation. We agreed that a united Libyan security apparatus is vital for peace and prosperity. I recommended to Field Marshal Haftar that officers from all parts of the country should meet to discuss military matters. We stand ready to facilitate such a meeting, as we have done before.

In Tripoli, the security plan must now be extended to the entire city. State authority must be expanded. The authority of the Presidency Council over armed groups has to be strengthened. Those forces must be consolidated within the relevant ministries; command and control must be unified. The unification of the security apparatus must also occur at a national level. The only alternative is military violence.

In line with the guidance of Secretary-General Guterres on the prevention of conflicts, we do our utmost to ensure that dialogue prevails over confrontation, that unity prevails over division and that security prevails over chaos. The continued use of the military to achieve political goals will only harden positions. Instead, a political solution, including agreement on a civilian authority to command the security apparatus, is needed.

Fourthly, weaknesses in the economy and financial situation need to be urgently addressed. Despite the increase in oil revenue and the ability of the Presidency Council to agree on a new budget for 2017, the fundamentals of the Libyan economy remain flawed. The division of financial institutions, instability and low confidence in the banking sector continue to feed inflation and the lack of liquidity. The Central Bank has to decisively address the fiscal and monetary problems of Libya. Libya is still spending beyond its means and its foreign currency reserves are constantly shrinking. The dire economic situation and the explosion of the black market is feeding criminality and violence. It must be addressed if Libya is to pull itself out of its downward spiral.

Fifthly, national reconciliation is vital for establishing a durable peace in Libya. In that regard, I welcome the steps taken by the Presidency Council towards establishing a national reconciliation commission and beginning official consultations. Women and youth will play a critical role in any reconciliation effort. I am awed by the energy and optimism of the Libyan youth. During the youth conference convened by the United Nations Support Mission in Libya (UNSMIL) in May, numerous initiatives were proposed and linkages formed. Those efforts must and will be supported.

Sixthly, Many Libyans call for the increased involvement of the international community. Today I would like to recognize the contributions made by neighbouring States. As elsewhere, it is the neighbours who first feel the consequences and it is they who are part of the solution. On 8 May, I attended the 11th ministerial meeting of Libya's neighbouring States meeting in Algiers and am encouraged by the efforts of this forum to find a common position and solution. Yesterday, the meeting in Algiers of Tunisia, Egypt and Algeria took place and concluded with a declaration supporting United Nations efforts and the coherence of the international community.

With regard to politics, both the regional and international communities must come together to support the Libyan peace process — not in the spirit of interference, but rather in partnership and respect for the sovereignty of Libyan and international law. The Quartet's meeting in Brussels on 23 May was an increasingly important forum for harmonizing the positions of regional and international organizations — the African Union, the European Union, the League of Arab States and the United Nations.

The African Union also sent two delegations to Libya recently, including its High Representative and a ministerial delegation of the African Union High-Level Ad Hoc Committee on Libya. A collaborative approach in which all initiatives work in a complementary manner to advance the United Nations-facilitated political process is very much needed. Uncoordinated or parallel efforts risk undermining progress and complicating an already complex situation. We must move forward in supporting Libyan-led efforts to find a durable solution. Without progress in politics, the symptoms of the conflict will only worsen.

Migrants continue to die as they seek a better life. Women and men in detention facilities and prisons

live a nightmare. Basic humanitarian principles and humanitarian space are under threat. Five hospitals have been bombed this year and humanitarian supplies cannot reach many regions of Libya due to insecurity. The human rights situation remains of deep concern. Since March, 65 civilians were killed during armed conflict, some by indiscriminate bombing. We cannot remain numb to the suffering this conflict is causing; we cannot compromise the basic principles that unite us, that make us human; nor can we afford to abandon our hopes and desires for a better, more united Libya.

Finally, I would like to thank all the men and women of UNSMIL today, as well as the United Nations family. I admire the dedication I see in all of them — engineers, analysts and administrators alike. I know their work is often unrecognized. I would therefore like to take this opportunity to recognize them and salute their efforts. My last message, as always, goes to the people of Libya. I reflect upon the words of Libyan author Hisham Matar:

> "Dreams have consequences. There is no turning back. A revolution is not a painless march to the gates of freedom and justice. It is a struggle between rage and hope, between the temptation to destroy and the desire to build."

I am sure of one thing. The women and men of Libya will succeed in building a nation that of which they and their children will be proud. Their sacrifices have been too deep for anything less, their communities too strong to collapse and their hearts too full of courage to fail.

The President: On behalf of the Security Council, I thank Mr. Kobler for his briefing.

I now give the floor to Ambassador Skoog.

Mr. Skoog (Sweden): In accordance with paragraph 24 (e) of resolution 1970 (2011) of 26 February 2011, I have the honour to report to the Security Council on the work of the Committee established by the same resolution. The report covers the period from 20 April to 7 June, during which time the Committee met once in informal consultations and conducted additional work via the silence procedure.

During the informal consultations held on 19 May, the Committee heard a presentation by the Panel of Experts on its final report under resolution 2278 (2016) and discussed the recommendations contained therein. I will not summarize the report, as it will be published shortly under document symbol number S/2017/466. As per practice, Libya was invited to read the report after discussion in the Committee and prior to publication, in the offices of the Secretariat.

While the report received mixed reactions, Committee members expressed their support and appreciation for the work of the Panel of Experts. The main issues raised by Committee members during the discussion of the final report included violations of the arms embargo, human trafficking and migrant smuggling, issues related to oil and oil products from Libya, control over Libya's public financial institutions, the implementation of the assets freeze and the Panel's limited access to Libya. The Committee is in the process of concluding its consideration of the recommendations.

With respect to the arms embargo, during the period under review, the Committee approved three requests for exemption for temporary export to Libya, submitted under paragraph 9 (c) of resolution 1970 (2011). Those requests came from Austria, the Netherlands and Germany. The Committee also received a post-delivery notification from Austria and a notice of cancellation of temporary export from the Netherlands. Furthermore, the Committee responded to a request from the Republic of Serbia for guidance on the scope and implementation of the arms embargo. The Commimttee also dispatched a letter to Libya on the same subject. In connection with a previous request for guidance received from Greece following the receipt of certain information from Libya, the Committee wrote to both Greece and Libya again on the matter. The Committee also received an initial written report, submitted pursuant to paragraph 10 of resolution 2292 (2016), by the European Union Operation Sophia, of a vessel inspection undertaken on the high seas off the coast of Libya. Arms and related materiel were found on board that vessel, which was flying the flag of Libya. According to the ship master, the ports of origin and destination were Misrata and Benghazi, respectively. The Committee notified Libya of the inspection.

Also in the context of the arms embargo, the Committee received the name of its new focal point pursuant to paragraph 6 of resolution 2278 (2016), namely, His Excellency Mr. Mohamed T.H. Siala, Minister for Foreign Affairs. Mr. Siala recently provided written briefings to the Committee with respect to the Libyan coast guard, explosive ordnance disposal units, and the presidential guard.

Concerning the assets freeze, the Committee approved a request for exemption, submitted by Switzerland in accordance with paragraph 19 (b) of resolution 1970 (2011 in relation to the assets of the Libya Africa Investment Portfolio. Following the receipt of additional details from Canada, on an exemption request pertaining to an asset owned by a listed individual, the Committee's consideration of the matter is ongoing.

With regard to the travel ban, during the period under review, the Committee approved an exemption under paragraph 16 (a) of resolution 1970 (2011), received through the Committee secretariat as "the relevant UN office" pursuant to section 9 (b) of the provisional guidelines of the Committee, from Ms. Safia Farkash Al-Barassi, a listed individual who was authorized to travel between Egypt and Oman on the grounds of humanitarian need.

Lastly, the Committee continued its consideration of the previously reported two letters received from Malta concerning the activities of two vessels that, reportedly, were illicitly attempting to export petroleum products and fuel from Libya to other destinations.

That concludes my report. I would like to voice my appreciation for the work of the Panel of Experts, under the Committee and other committees. We know that at times the Panel works under very challenging circumstances.

The President (*spoke in Spanish*): I thank Ambassador Skoog for his briefing.

I shall now give the floor to the members of the Security Council who wish to make statements.

Mr. Rosselli (Uruguay) (*spoke in Spanish*): I would like to thank Mr. Martin Kobler and Ambassador Olof Skoog for their briefings. I believe that they both know that they have the full support of the delegation of Uruguay.

A year and a half after the signing of the Libyan Political Agreement, regrettably, there is still no visible progress being made in the country's political transition. The support received by the Government of National Accord within the Libyan political system has been negligible, which militates against the chances that it will be able to swiftly stabilize the country and again place it on the path towards normalcy. It is therefore imperative that the new Government galvanize broad support from the population in order to gain full legitimacy. Otherwise, it will be very challenging for it to eventually govern the country, or even most of its territory. Meanwhile, violence and clashes continue to spread. Dozens of militias on the ground hold the real power in Libya, turning a profit from various economic interests in an attempt to gain control of the oil industry and the illegal migrant trade.

We are also concerned that the date for the endorsement of the Political Agreement by the Tobruk-based House of Representatives has been postponed. A way to ensure that that occurs should be made in order to remove uncertainty and instability. Efforts should be intensified to allow for national reconciliation that meets the demands and proposals of all parties concerned.

In conclusion, we would like to voice our concern about the frustrating situation faced by migrants who use Libya as a transit country as they make their way to Europe. We continue to bear witness every day to tragic developments that result in hundreds of deaths, including of women and children. Hundreds of thousands of sub-Saharan migrants are now in Libya, hoping to be able to cross the Mediterranean. They are ill-treated and face gross human rights violations. We reiterate that, as we seek solutions to that problem, we must focus on the human rights of migrants and refugees. Only political and institutional stability in Libya will help to considerably reduce that phenomenon.

The President (*spoke in Spanish*): I shall now make a statement in my capacity as the representative of the Plurinational State of Bolivia.

Bolivia is grateful for the briefings made by the Special Representative of the Secretary-General and the Head of Mission of the United Nations Support Mission in Libya, Mr. Martin Kobler, and by Ambassador Olof Skoog, in his capacity as Chair of the Security Council Committee established pursuant to resolution 1970 (2011) concerning Libya. We take this opportunity to reiterate our support for the sensitive duties with which they have been entrusted.

We commend the work of regional and international actors to enhance coordination efforts in support of the political process and help Libya in its transition to democracy, such as the meeting held in Brussels on 23 May by the European Union, the African Union, the League of Arab States and the United Nations.

We are also especially alarmed by the plight of internally displaced persons. According to a report issued by the International Organization for Migration on 2 June, the more than 250,000 internally displaced persons are, to a large extent, the result of ongoing clashes among the various armed groups. Unfortunately, that is a clear illustration of the widespread violence in Libya. Similarly, we are very concerned about the incident that occurred on 18 May at Brak Al-Shati, which resulted in summary executions, in flagrant violation of international humanitarian law. We remind all actors and parties concerned that the only solution to the conflict is through a political transition, which has already begun and must continue. We therefore urge them to stop the fighting and relinquish any approach that calls for the use of weapons as a method to settle this or any other conflict.

In conclusion, we believe that such developments should encourage the actors and parties involved in the Libyan Political Agreement to redouble their efforts and take a decisive and resolute step towards agreement and consensus, which would enable them to conclude a peaceful, inclusive and orderly political transition, by and for the Libyan people, which respects the sovereignty, independence and territorial integrity of Libya.

I now resume my functions as President of the Council.

I give the floor to the representative of Libya.

Mr. Elmajerbi (Libya) (*spoke in Arabic*): At the outset, I would like to congratulate you, Mr. President, on assuming the presidency of the Security Council for the month of June. I wish you very success in your duties.

I would also like to thank Special Representative for the Secretary-General Martin Kobler for his important briefing. We highly commend the continuous efforts by Mr. Kobler to bring together the different points of views among the Libyan political actors and put an end to the political divisions and deterioration in Libya. I would also like to thank Ambassador Skoog of Sweden for the briefing in his capacity as President of the Committee established pursuant to resolution 1970 (2011) concerning the latest developments on the sanctions dossier in Libya.

The United Nations Support Mission in Libya (UNSMIL) has achieved the maximum possible level of convergence of viewpoints of the different political parties fighting over power. That convergence was exemplified in the signing of the Libyan Political Agreement on 17 December 2015. At the time, that Agreement garnerned wide support from all over Libya, as well as the approval of the majority of the House of Representative and the General National Congress. However, the intransigent positions of some parties have stalled the aqequate implementation of the Agreement. In that vein, we perceive the role played by the United Nations to be an important one. The United Nations ought to continue its efforts to surmount the political bottlenecks, which may include undertaking some limited amendments to the Political Agreement in a way that would ensure the commitment of all parties to implement it. That would lead the Government of National Accord to be the sole legitimate Government in Libya, which would pave the way for such a Government undertake all governmental functions all over Libya, including providing security.

Such an agreement requires the unification of the military under one civilian leadership. Its primary duty is to secure Libyan cities and borders and disarm militias, as well as facing the different challenges in the country, such as terrorism, illegal migration and securing the oil fields.

In that context, we would like to inform the Council that the security situation in Tripoli has recently experienced great improvement after forces affiliated with the Government of National Accord extended their control over all vital facilities. That has paved the way for the full return of UNSMIL to Tripoli.

I would be remiss not to commend the efforts made by Libya's neighbours to bring about a convergence in the differing points of view among the parties. The most recent communiqué issued by the ministerial meeting of Libya's neighbouring countries, which was held in Algeria on 5 June, stressed the need to abide by the Political Agreement under the auspices of the United Nations. It also stressed that there are no military solutions to the crisis in Libya.

We express our appreciation for all endeavours undertaken by the League of Arab states and the African Union to close the gap among the political parties and lead to a consensus that would contribute to stabilizing the situation and alleviating the suffering of the Libyan people.

Everyone is aware that my country faces numerous crises as a result of the worsening security situation, including the smuggling of fuel and oil products by armed gangs of criminals. Those gangs partake in many illegal acts, including human trafficking. In that regard, we hope that the Council will take into consideration the need to confront the perpetrators of those and other illegal acts, in order to safeguard the wealth of the Libyan people.

Turning to the frozen Libyan assets, according to resolution 1970 (2011), the Council called upon all Member States to freeze Libyan financial assets and other economic resources in their territories without delay in order to protect the interests of the Libyan people. The freeze on Libyan assets was lifted under resolution 2009 (2011), especially those relating to the Libyan Central Bank. However, the freeze continues to be imposed on a number of other entities, including the Libyan Investment Authority, which faces huge losses amounting to almost $1 billion annually. That is due to its inability to issue instructions to the entities keeping the books of those frozen accounts so that they might manage assets adequately.

When it was first introduced, the regime was not meant to punish Libya. Rather, it was a preventive measure to protect the assets against dissipation during the revolution and during the interim period after the fall of the previous regime. The freeze is leading to negative repercussions that hurt the interests of the Libyan people. I would like refer to the letter sent by Libya's Ambassador to the President of the Council (S/2016/275). We hope that the Council will take expeditious measures to amend resolutions 1970 (2011), 1973 (2011) and 2009 (2011) in order to allow for the Libyan Investment Authority to openly participate in managing funds in those frozen accounts and prevent further losses of Libyan assets. In that connection, the Libyan authorities are not calling for the lifting of the freeze on any assets. Rather, we ask for a resolution that includes an article that allows moving the money deposited in frozen accounts, investing that money and opening and closing accounts so that we can protect the value of the assets and increase the returns while they are frozen.

The meeting rose at 3.40 p.m.